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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Robert Adams

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1184

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7590

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EXAMINER

JACOBS, LASHONDA T

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/745,594	ADAMS ET AL.	
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on July 28, 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-10 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-10 and 12-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This is a Final Office Action in response to Applicants' Amendment/Request for Reconsideration filed on July 28, 2006. Claims 1-5, 7-10 and 12-20 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-5, 7-10 and 12-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hopmann et al (hereinafter, "Hopmann", U.S. Pat. No. 6,669,335) in view of Dillon et al (hereinafter, "Dillon", 6,658,463) and in further view of Mahajan et al (hereinafter, "Mahajan", U.S. Pat. No. 6,226,650).

As per claim **1**, Hopmann discloses a communication system for accessing and managing a database, comprising:

- a portable wireless communication appliance (col. 10, lines 25-28);
- a remote device (server) with access to the database, the database residing remote to wireless communication appliance (col. 9, lines 62-65 and col. 10, lines 28-36); and

However, Hopmann does not explicitly disclose:

Art Unit: 2157

- a cache device configured to communicate wirelessly with the portable wireless communication appliance and to communicate with the remote device, the cache device storing a copy of a predetermined portion of the database.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- a cache device (proxy) configured to communicate wirelessly with the portable wireless communication appliance and to communicate with the remote device, the cache device storing a copy of a predetermined portion of the database, wherein the portable wireless communication appliance operates on the database via the cache device, in one of a mode connected to the remote device or a mode unconnected to the remote device, the mode being dependent on the accessibility of the remote device (col. 7, lines 44-66).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide information to client without having to communicate with the server in a timely and efficient manner.

However, Hopmann in view of Dillon does not explicitly disclose:

- wherein the remote device is configured to both send and retrieve database updates to and from the portable wireless communication appliance via the cache device.

Mahajan discloses a database synchronization and organization system and method comprising:

- wherein the remote device is configured to both send and retrieve database updates to and from the portable wireless communication appliance via the cache device (col. 5, lines 36-51).

Given the teaching of Mahajan, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hopmann in view of Dillon by allowing the server to update and retrieve information from the client's cache in order to synchronize the server and client databases so that both databases contains the same information/data thereby providing updated information to the databases in a timely and efficient manner.

As per claim 2, Hopmann discloses wherein the portable wireless communication appliance comprises one of a:

- radiotelephone, a personal digital assistant, or a portable computer (col. 10, lines 25-28).

As per claim 3, Hopmann discloses wherein the remote device comprises:

- a personal computer, a desktop computer, or a server device connected to a network (col. 9, lines 62-65 and col. 10, lines 28-36).

As per claim 4, Hopmann discloses:

- a wireless communication device operative to communicate with the portable wireless communication device (col. 10, lines 25-45).
- a storage device for storing the copy of the portion of the database (abstract, col. 10, lines 16-21, lines 41-45 and col.11, lines 15-30); and

Art Unit: 2157

- data processor operative to execute preprogrammed instructions and managing the copy of the portion of the database in the storage device (col. 9, lines 42-50, col. 10, lines 16-21, lines 41-45 and col. 11, lines 15-30).

As per claim 15, Hopmann discloses a method comprising:

- establishing a wireless communication link between a portable wireless communication appliance (col. 10, lines 25-45);
- setting cache-device preferences (col. 11, lines 15-30, lines 34-52 and col. 12, lines 35-45);
- synchronizing a copy of a portion of a database stored in the cache device with the database communicatively coupled to the remote device (col. 11, lines 15-30, lines 34-52 and col. 12, lines 35-45).

However, Hopmann does not explicitly disclose:

- sending a remote-device discovery inquiry by way of the wireless communication link;
- determining if a remote device is available for communication with the cache device;
- monitoring the availability of the remote device.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- sending a remote-device discovery inquiry by way of the wireless communication link (col. 7, lines 44-66);
- determining if a remote device is available for communication with the cache device (col. 7, lines 44-66);

- monitoring the availability of the remote device (col. 7, lines 44-66).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide information to client without having to communicate with the server in a timely and efficient manner.

As per claims 5, 10 and 16, Hopmann discloses a method and computer program product of accessing and managing a database accessible by a remote device, the method comprising:

- establishing a wireless communication link between a portable wireless communication appliance (col. 10, lines 25-45);

However, Hopmann does not explicitly disclose:

- send a remote-device discovery inquiry;
- determine if a remote device having access to the database is available for communication with the cache device;
- a cache device storing a portion of the database; and
- accessing the copy of the portion of the database stored in the cache device.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- send a remote-device discovery inquiry (col. 9, lines 30-39);
- determine if a remote device having access to the database is available for communication with the cache device (col. 9, lines 40-46);
- a cache device storing a portion of the database (col. 7, lines 44-66);

Art Unit: 2157

- accessing the copy of the portion of the database stored in the cache device when the remote device is not available (col. 7, lines 44-66); and
- accessing the database accessible by the remote device via the cache device when the remote device is available (col. 7, lines 44-66).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide information to client without having to communicate with the server in a timely and efficient manner.

As per claims 7 and 12, Hopmann discloses:

- setting cache-device preferences when the remote device is available, wherein cache-device preferences comprise user preferences and configuration settings (col. 11, lines 15-30, lines 34-52 and col. 12, lines 35-45).

As per claim 8 and 13, Hopmann discloses the invention substantially as claims discussed above:

However, Hopmann does not explicitly disclose:

- monitoring the availability of the remote device.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- monitoring the availability of the remote device (col. 9, lines 40-46).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide

Art Unit: 2157

information to client without having to communicate with the server in a timely and efficient manner.

As per claims 9 and 14, Hopmann discloses:

- synchronizing the copy of the portion of the database with the database according to the cache-device preferences (col. 11, lines 15-30, lines 34-52 and col. 12, lines 35-45).

As per claim 17, Hopmann discloses the invention substantially as claims discussed above.

However, Hopmann does not explicitly disclose:

- wherein the cache device has a storage capacity larger than the portable wireless communication appliance.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- wherein the cache device has a storage capacity larger than the portable wireless communication appliance (col. 7, lines 44-66).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide information to client without having to communicate with the server in a timely and efficient manner.

As per claim 18, Hopmann discloses the invention substantially as claims discussed above.

However, Hopmann does not explicitly disclose:

Art Unit: 2157

- wherein the cache device is configured to receive the copy of a predetermined portion of the database from the portable wireless communication appliance for storing when the remote device is unavailable.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- wherein the cache device is configured to receive the copy of a predetermined portion of the database from the portable wireless communication appliance for storing when the remote device is unavailable (col. 4, lines 13-24, col. 5, lines 48-65 and col. 11, lines 50-59).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide information to client without having to communicate with the server in a timely and efficient manner.

As per claim 19, Hopmann discloses the invention substantially as claims discussed above.

However, Hopmann does not explicitly disclose:

- wherein the cache device is configured to send the copy of a predetermined portion of the database to the remote device, for storing, when the remote device becomes available.

Dillon discloses a system and method for enhancing satellite multicast performance including:

Art Unit: 2157

- wherein the cache device is configured to send the copy of a predetermined portion of the database to the remote device, for storing, when the remote device becomes available (col. 9, lines 40-46).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide information to client without having to communicate with the server in a timely and efficient manner.

As per claim 20, Hopmann discloses the invention substantially as claims discussed above.

However, Hopmann does not explicitly disclose:

- wherein the cache device is configured to communicate with the remote device to update the database with the copy of a predetermined portion of the database when the portable wireless communication appliance is no longer in communication with the cache device.

Dillon discloses a system and method for enhancing satellite multicast performance including:

- wherein the cache device is configured to communicate with the remote device to update the database with the copy of a predetermined portion of the database when the portable wireless communication appliance is no longer in communication with the cache device (col. 9, lines 40-46).

Given the teaching of Dillon, it would have been obvious to one of ordinary skill in the art to modify Hopmann by including a proxy server between the client and server in order to provide

Art Unit: 2157

information to client without having to communicate with the server in a timely and efficient manner.

Response to Arguments

3. Applicant's arguments filed July 28, 2006 have been fully considered but they are not persuasive.

The Office notes following arguments:

a. None of the references teach managing a database where a predetermined portion of the database is stored on the cache device where the cache-device is accessible to a portable device, where the portable device may cause an update to a remote database via remote device while connected to the cache-device or that the update is delayed until the remote device becomes available.

b. Dillon et al do not teach updating or managing a database based on information received from a user (via the portable device).

c. Dillon et al do not teach or suggest a system that will allow a user to continue to operate a portable device when unconnected to the remote device (server).

d. Hopmann et al do not teach or suggest that a predetermined portion of a database is stored on a cache device,

e. Hopmann et al do not teach a cache device.

f. Combining the teachings Dillon et al, Hopmann et al and Mahajan et al will not result in Applicants' claimed invention.

In response to:

Art Unit: 2157

(a)-(f), Applicants argue that none of the references teach managing a database where a predetermined portion of the database is stored on the cache device where the cache-device is accessible to a portable device, where the portable device may cause an update to a remote database via remote device while connected to the cache-device or that the update is delayed until the remote device becomes available in which Dillon et al do not teach or suggest updating or managing a database on information received from user nor do Dillon et al teach or suggest a system that will allow a user to continue to operate a portable device when unconnected to the remote device. Also Applicants argue that Hopmann do not teach a predetermined portion of a database is stored on a cache device neither do Hopmann teach a cache device. However, Examiner disagrees. Hopmann et al teaches a client (i.e. local, computer, portable computer, laptop computer, pda and the like) which can upload data/information from a remote computer (server) in which data is synchronized between the client and server in which the client will have the most up-to-date information. The client contains a local copy the data to work on when the client is not connected to server (Hopmann col. 9, lines 60-67, col. 10, lines 25-45 and col. 11, lines 15-43). Dillon et al teaches a proxy server (cache device) that filters, delete, and update etc. entries from a database which was used in combination with Hopmann et al since a cache device is not explicitly disclose within Hopmann et al. Therefore one of ordinary skill in the art at the time the invention was made would have been motivated to include a proxy server (cache device) with Hopmann et al to provide information to the client without having access the remote server in order to retrieve information in a timely and efficient manner. The Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly

Art Unit: 2157

than is justified. In re Prater 162 USPQ 541, 550-51 (CCPA 1969). Hence, for the above reasons, it is believed that the rejection under 35 U.S.C. 103 provides substantial evidence to support the rationale statement in the above rejection. The rejection under 35 U.S.C. 103 should be sustained.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ltj
October 10, 2006

LaShonda T Jacobs
Examiner
Art Unit 2157


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